

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-23 are currently pending. Claims 1, 10, and 19-22 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,168,444 to Cukor et al. (hereinafter “the ‘444 patent”) in view of U.S. Patent No. 5,910,896 to Hahn-Carlson (hereinafter “the ‘896 patent”); and Claim 23 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘444 and ‘896 patents, further in view of the Pure PDF reference (hereinafter “Pure PDF”).

Amended Claim 1 is directed to a physical distribution method, comprising: (1) an image data generation step for generating image data of a plurality of types of documents on which a condition for exporting or importing goods is described, the image data generation step generating the image data upon reception of the documents obtained as a result of execution of a physical distribution step; (2) an image data storage step for storing the image data generated in the image data generation step to be associated with the goods, to a freight tracking information data base, upon generation of the image data; (3) a document data storage step for storing document data described on the documents, to the freight tracking information data based in association with the goods, upon generation of the image data; (4) an identification data storage step for storing identification data that identifies a party concerned with export or import of the goods among, in addition to a consignor and a consignee, a number of parties concerned with export or import of the goods; and (5) a data output step, when the party concerned specifies data relating to goods, for obtaining image data or document data of the data stored, in the freight tracking information database, in

association with the corresponding specified data, and for outputting the obtained data.

Further, Claim 1 has been amended to clarify that the data output step includes the steps of, based on the decided range and the specified data relating to goods, obtaining image data of an associated one of a plurality of documents, or document data from the associated one or a plurality of documents, and outputting the image data or the document data to a terminal of the concerned party, to thereby display the progress of a procedure relating to transfer of the goods on the terminal of the concerned party. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.¹

Regarding the rejection of Claim 1 under 35 U.S.C. § 103, the Office Action asserts that the '444 patent discloses everything in Claim 1 with the exception of storing identification data that identifies a party concerned with export or import, wherein the data output corresponds to a range of an output enable data associated with the concerned party, and relies on the '896 patent to remedy that deficiency.

The '444 patent is directed to a system for image processing of documents generated in shipping transactions, the system including remote scanning stations 10 and an image file server 13. The '444 patent discloses that the document images can be captured by scanners at a plurality of remote stations, while the images of the shipping documents can be viewed at a plurality of image processing stations 18. Thus, the '444 system allows for the printing of transaction invoices from the image data in a database along with a hard copy of any shipping document images that are to accompany the invoices. However, Applicants respectfully submit that the '444 patent fails to disclose generating image data by reception of documents obtained as a result of execution of a physical distribution step. Rather, the '444 patent merely discloses that shipping transaction documents may be scanned at remote scanning stations. Further, Applicants respectfully submit that the '444 patent fails to disclose the step

¹ See e.g., pages 17-21 of the specification.

of outputting image data or document data to a terminal of a concerned party to thereby display the progress of a procedure relating to transfer of the goods on the terminal of the concerned party, as recited in amended Claim 1. The '444 patent is silent regarding the display of progress of a procedure relating to transfer of goods on a terminal of a concerned party, as recited in Claim 1.

The '896 patent is directed to a computer processing system for tracking a shipment transaction involving a shipper and a carrier. As shown in Figure 1, the '896 patent discloses a central processor 40 that receives transaction information from a data processing device 34 associated with the shipper 20. The transaction information, which is listed in Table 1 of the '896 patent, is maintained by the central processor 40, which allows access to the information by the shipper 20 and the carrier 22. However, Applicants respectfully submit that the '896 patent fails to disclose the step of generating image data upon reception of documents obtained as a result of execution of a physical distribution step, as recited in Claim 1. Moreover, Applicants respectfully submit that the '896 patent fails to disclose outputting image data of a document data to a terminal of a concerned party to thereby display the progress of a procedure relating to transfer of goods on the terminal of the concerned party, as recited in amended Claim 1.

Thus, no matter how the teachings of the '444 and '896 patents are combined, the combination does not teach or suggest the steps of (1) generating image data upon reception of documents relating to a result of execution of a physical distribution step, or (2) outputting image data or document data to a terminal of a concerned party to thereby display progress of a procedure relating to transfer of goods on the terminal of the concerned party, as recited in amended Claim 1. Accordingly, Applicants respectfully submit that the rejection of Claim 1 (and dependent Claims 2-9) is rendered moot by the present amendment to Claim 1.

Independent Claims 10 and 19-22 recite limitations analogous to the limitations recited in Claim 1. Moreover, Claims 10 and 19-22 have been amended in a manner analogous to the amendment to Claim 1. Accordingly, for the reasons stated above, for the patentability of Claim 1, Applicants respectfully submit that the rejections of Claims 10 and 19-22 (and all associated dependent claims) are rendered moot by the present amendment to the independent claims.

Applicants respectfully submit that the rejection of Claim 23 is rendered moot by the present amendment to Claim 1. In this regard, Applicants respectfully submit that the Pure PDF reference fails to remedy the deficiencies of the '444 and '896 patents, as discussed above.

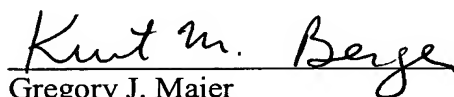
Claim 3, which depends from Claim 2, states that that data output step displays a diagram illustrating a correspondence between a person who conducts a specified completed procedure and a person who is a recipient of the procedure, and output data representing the specified completed procedure. In the rejection of Claim 3, the Office Action refers to Figure 1 of the '444 patent as reading on the diagram recited in Claim 3. However, Applicants respectfully submit that *Figure 1 of the '444 patent is merely a system diagram of the '444 invention*. As stated in column 4 of the '444 patent, "Figure 1 shows a high level block diagram of a system according to the invention." Thus, Figure 1 of the '444 patent clearly is not a diagram displayed in a data output step that illustrates correspondence between a person who conducts a specified completed procedure and a person who is a recipient of the procedure as well as data representing the specified completed procedure, as recited in Claim 3. Applicants respectfully submit that no matter how the teachings of the '896 and '444 patents are combined, the combination does not teach or suggest the diagram recited in Claim 3. For this additional reason, Applicants respectfully submit that Claim 3 patentably defines over any proper combination of the cited references.

Thus, it is respectfully submitted that independent Claims 1, 10, and 19-22 (and all associated dependent claims) patentably define over any proper combination of the '896 patent, the '444 patent, and the Pure PDF reference.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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